IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 7 of 2007()

CR.2/06 OF KAYAMKULAM EXCISE RANGE.

: PETITIONER/APPLICANT.

SARASA, W/O.RAMACHANDRAN,
PUTHENMANNIL VADAKKETHIL,
KRISHNAPURAM VILLAGE,
KARTHIKAPALLY TALUK.

BY ADV. SRI.PKM.HASSAN
SRI.J.JULIAN XAVIER

RESPONDENTS:

STATE OF KERALA, REP. BY EXCISE
INSPECTOR, KAYAMKULAM EXCISE RANGE.
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
ERNAKULAM

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7 OF 2007

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DATED THIS THE 8th DAY OF JANUARY, 2007

O R D E R

Petitioner, a lady, who is the accused in Cr.No.2/06 of Kayamkulam Excise Range for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of one litre of arrack on 3.1.2006, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under section 41A(b)(ii) of the Abkari Act are present in this case so as to justify the grant of anticipatory bail to the petitioner. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn